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Rec'd T/PTO 30 JAN 2002

**SCHIFF HARDIN & WAITE**

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WASHINGTON OFFICE  
1101 Connecticut Avenue N.W.  
Suite 600  
Washington D.C. 20036-4390  
TELEPHONE (202) 778-6400

IN RE APPLICATION OF: Min et al.

SERIAL NO.: 09/937,875

FILED: October 1, 2001

TITLE: "A RATE ADAPTIVE PACEMAKER

**AMENDMENT "A" PRIOR TO ACTION**

Assistant Commissioner for Patents  
Washington D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

■ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	* 6	MINUS	** 20	X	( ) X 9.00 ( ) X 18.00	
INDEP. CLAIMS	* 1	MINUS	3	X	( ) X 42.00 ( ) X 84.00	
Application amended to contain any multiple dependent claims not previously paid for.				( ) YES ( ) NO	( ) \$140.00 ( ) \$280.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- ☐ Applicant petitions the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated \_\_\_\_\_ for \_\_\_\_\_ months so that the period for response is extended to \_\_\_\_\_. A check in the amount of \$ \_\_\_\_\_ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. **501519**. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☐ A check for \$ \_\_\_\_\_ accompanying IDS under 37 CFR 1.97(c) is attached
- ☐ A check for \$ \_\_\_\_\_ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. **501519**. A duplicate of this sheet is enclosed.
- When phoning re this application, please call 312/258-5500.

SCHIFF HARDIN & WAITE (CUSTOMER NO. 26574)  
PATENT DEPARTMENT

BY Steven H. Noll (Reg. No. 28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, United States Patent and Trademark Office, Washington DC 20231 on January 18, 2002.

STEVEN H. NOLL (Registration No. 28,982)

NAME OF APPLICANT'S ATTORNEY

SIGNATURE

January 18, 2002

DATE

-1-

BOX PCT  
IN THE UNITED STATES DESIGNATED OFFICE  
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER THE PATENT COOPERATION TREATY-CHAPTER II

5                    **SUBMISSION OF DRAWINGS FOR PUBLICATION**

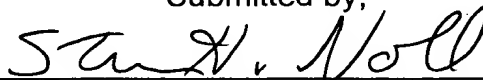
APPLICANTS:        Min et al.  
SERIAL NO.:         09/937,875  
FILED:                October 1, 2001  
TITLE:                "A RATE ADAPTIVE PACEMAKER"

10       Assistant Commissioner for Patents,  
             Washington, D.C. 20231

S I R:

15               Applicants herewith submit one sheet (Figs. 1 and 2) of drawings in  
             suitable form for publication. The drawings embody the drawing amendment  
             in the Request for Approval of Drawing Changes, filed simultaneously  
             herewith.

Submitted by,



(Reg. 28,982)

20               SCHIFF, HARDIN & WAITE

**CUSTOMER NO. 26574**

             Patent Department

             6600 Sears Tower

             233 South Wacker Drive

             Chicago, Illinois 60606

25               Telephone: 312/258-5790

             Attorneys for Applicants.

-1-

IN THE UNITED STATES DESIGNATED OFFICE  
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER THE PATENT COOPERATION TREATY-CHAPTER II  
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

5

ATTN: BOX PCT

APPLICANTS: Min et al.  
SERIAL NO.: 09/937,875  
FILED: October 1, 2001  
TITLE: "A RATE ADAPTIVE PACEMAKER"

10 Assistant Commissioner for Patents,  
Washington, D.C. 20231

S I R:

On June 15, 2002, counsel for the Applicants received a Notification of Missing Requirements under 35 U.S.C. §371 for the above-referenced application. The original of this Notification is returned herewith so that the Patent and Trademark Office can see the condition it was in upon receipt. Aside from the tattered condition of the Notification, the envelope had no postage thereon.

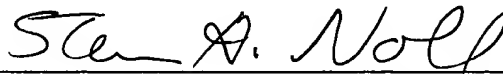
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More importantly, the present application was, in fact, filed with a signed Declaration (a facsimile copy thereof) and therefore the Notification was sent in error. Due to processing delays, the stamped return postcard for the application as originally filed has not been received by the undersigned counsel's law firm, as is the case for many applications filed within this time frame. Nevertheless, an inspection of the originally filed documents in the Patent and Trademark Office file should indicate that the application was accompanied by a cover sheet wherein the box for item 9 was checked, stating that an oath or Declaration was submitted therewith, and the

Declaration which is in the file should be a telefaxed copy of the signed Declaration.

No further response to the Notification is therefore necessary.

Submitted by,

5



(Reg. 28,982)

SCHIFF, HARDIN & WAITE

**CUSTOMER NO. 26574**

Patent Department

6600 Sears Tower

10

233 South Wacker Drive

Chicago, Illinois 60606

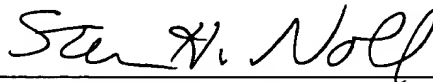
Telephone: 312/258-5790

Attorneys for Applicant(s).

**CERTIFICATE OF MAILING**

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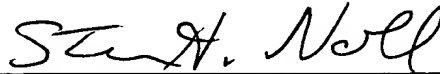


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STEVEN H. NOLL

**CERTIFICATE OF MAILING**

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to: Assistant Commissioner for Patents, United States Patent and Trademark  
Office, P.O. Box 2327, Arlington, Virginia 22202 on Jan 8, 2002.



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STEVEN H. NOLL

RECEIVED

JAN 15 2002

SCHIFF HARDIN & WAITE  
US PATENT OFFICE

U.S. APPLICATION NUMBER NO.			FIRST NAMED APPLICANT			ATTY. DOCKET NO.		
09/937,875			Mart MIN			P01,0337		

26574  
SCHIFF HARDIN & WAITE  
6600 SEARS TOWER  
233 S WACKER DR  
CHICAGO, IL 60606-6473

INTERNATIONAL APPLICATION NO	
PCT/SE00/00572	
I.A. FILING DATE	PRIORITY DATE
03/23/2000	03/31/1999

CONFIRMATION NO. 8791

371 FORMALITIES LETTER



60606+6473 19

Date Mailed: 11/07/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

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Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,875	PCT/SE00/00572	P01,0337

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